	Case 08-10753-CL7 Filed 07/	L4/09 Entered 07/15/09 13:37:14 Doc 45 Pg. 2 of 9
1	WHEREAS, the trial on the	Petition for Involuntary Chapter 11 is presently scheduled to
2	take place in Department 2 of the	above-entitled court at 10:00 a.m., on Wednesday, July 15,
3	2009,	
4	NOW THEREFORE; Pet	tioners John Montgomery and Nancy Montgomery and
5	Respondent Tesla Gray, acting b	y and through their respective counsel of record, hereby
6	stipulate that:	
7		hall, and hereby does, withdraw her objections to the Petition
8		
9	for Involuntary Chapter 11 filed by	
10	2. Pursuant to Title 11	, U.S.C. §303 an Order for Relief may be entered under the
12	United States Bankruptcy Code; an	1
13	3. The July 15, 2009 t	rial date on the Petition for Involuntary Chapter 11 may be
14	vacated.	
15	IT IS SO STIPULATED.	
16		CATALANO & CATALANO
17		10 / 1-
18	Dated: July 14, 2009	By: M. Popull
19		Patrick E. Catalano Mark Adams Poppett
20		Attorneys for Petitioners
21		JOHN MONTGOMERY and NANCY MONTGOMERY
22		THOMAS C. NELSON, ATTORNEY AT
23		LAW
24		
25	Dated: July, 2009	Ву:
26		Thomas C. Nelson Attorney for Debtor
27		TESLA GRAY
28		2
	JOINT MOTION FOR WITHDRAW	AL OF DEBTOR'S OBJECTIONS TO INVOLUNTARY PETITION

AND FOR ENTRY OF AN ORDER FOR RELIEF UNDER CHAPTER II

017 14. 1001	12: 26 613-2308230	Enteredund Mension 13:37:14 Doc 45	Pg.P\$G5 902/04 P.2/4		
JUL-14-208	ng 11:59 From:CATAL: SD 16				
1	WHEREAS, the trial on the Petit	ion for Involuntary Chapter 11 is presently sc	heduled to		
2	take place in Department 2 of the abov	e-entitled court at 10:00 a.m., on Wednesday	y. July 15.		
3	2009,				
4		rs John Montgomery and Nancy Montgo	mary and		
5	,				
6	Respondent Tesla Gray, acting by and	d through their respective counsel of recor	rd, nereby		
7	stipulate that:				
8	1. Debtor Tesla Gray shall,	and hereby does, withdraw her objections to t	he Petition		
9	for Involuntary Chapter 11 filed by Petiti	oner;			
10	2. Pursuant to Title 11, U.S	.C. §303 an Order for Relief may be entered	under the		
11	United States Bankruptcy Code; and  3. The July 15, 2009 trial date on the Petition for Involuntary Chapter 11 may be				
12					
13	vacated.				
14	IT IS SO STIPULATED.				
15	II to do din obatibo.	OATAT ISIN A GATAT INO			
16		CATALANO & CATALANO			
17		By: M. Popular			
18	Dated: July 14, 2009	By: Patrick E. Catalano			
19		Mark Adams Poppett			
20		Attorneys for Pctitioners JOHN MONTGOMERY a	4		
21   22		NANCY MONTGOMERY	<i>'</i>		
23		THOMAS C. NELSON, ATTOR	ENEY AT		
24					
25	la constant anna	100			
26	Dated: July 1, 2009	Thomas C. Nelson			
27		Attorney for Debtor TESLA GRAY			
28					

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1 2 3 4 5 6	Patrick E. Catalano, SB Mark Adams Poppett, S CATALANO & CATA 655 W. Broadway, Suit San Diego, CA 92101 Tel: (619) 233-3565 Fax: (619) 233-4891 Email: mark.poppett@ Attorneys for Petitioner JOHN MONTGOMER	SBN 64939 LANO e 880 legalcat.com	ONTGO	∜S S S0.	FUED 1 JUL 14 P ANKRUPT DIST. OF	K 3: 13	
8							
9		UNITED STAT	ES BAN	KRUPTCY	COURT		
10		SOUTHERN D	ISTRIC	T OF CALIF	ORNIA		
11	In re TESLA GRAY,		)	Case No: 08-1	10753-LA	11	
12 13	Debtor.		)	Petition for In	voluntary	Chapter 11	
14			)	PROOF OF	SERVICI	E	
15							
16	I, Janet Kohnen	berger, declare:					
17	I am employed in the County of San Diego, California. My business address is 655 West				is 655 West		
18	Broadway, Suite 880, San Diego, California 92101. I am over the age of eighteen years and am						
19	not a party to this action.						
20	On July 14, 2009, caused to be served:						
21	JOINT MOTION FOR WITHDRAWAL OF DEBTOR'S OBJECTIONS TO INVOLUNTARY PETITION AND FOR ENTRY OF AN ORDER FOR				_		
22	RELIEF UNDER CHAPTER			11 [11 U.S.C. §303; and (PROPOSED)			
23	ORDER						
24	in said cause via facsir						
25	envelope with postage t	hereon fully prepa	id in the	United States	Mail at S	an Diego, (	California,
26	1///						
27							
28	///						
		DD	OOF OF S	SERVICE			
- 1		rk	OOI OI S	SERVICE			

•	Case 08-10753-CL7 Filed 07/14/09 Entered 07/15/09 13:37:14 Doc 45 Pg. 5 of 9
1	addressed as follows:
2	SEE ATTACHED SERVICE LIST
3	I declare under penalty of perjury under the laws of these United States that the foregoing
4	is true and correct and that this declaration was executed on July 14, 2009, at San Diego,
5	California.
6	By: aut M. Kahnenberry
7	Janet Kohnenberger
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	PROOF OF SERVICE
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Case	e 08-10753-CL7	⊢iiea 07/14/09	Entered 07/15/09 13:37:14 Doc 45 F	. g. (
1		SI	ERVICE LIST	
3 COU	RT:	In re Tesla Gray United States Bank Southern District of 08-10753-LA11		
5				
7   550 7   San	mas C. Nelson West C Street, So Diego, CA 9210 (619) 236-1245		Attorney for Debtor Tesla Gray	
8     Fax	: (619) 236-0230			
Chr Pite	n@tenlaw.com istopher M. McD Duncan, LLP 5 Jutland Drive, S		Edward T. Weber Kathy Shakibi Routh Crabtree Olsen, P.S.	
11     P.O	. Box 17933		505 N. Tustin Avenue, Suite 243	
Tel:	Diego, Ca 9217 (858) 705-7600	7-0933	Santa Ana, CA 92705 Tel: (714) 277-4803	
	: (619) 590-1385 :asb@piteduncan.		Fax: (714) 277-4916 bknotice@rcolegal.com	
14	n M. Sorich	com	Wayne R. Terry	
111	arado & Associat acArthur Place, S	•	Hemar, Rousso & Heald, LLP 15910 Ventura Boulevard, 12 <sup>th</sup> Floor	
16     San	ta Ana, CA 9270		Encino, CA 91436	
4 / 111	(714) 327-4400 (714) 327-4499		Tel: (818) 501-3800 wterry@hemar-rousso.com	
18 Citi	Mortgage, Inc.		wterry (agricular Toussoleon)	
7 6 3 1 1 1 1	. Box 6941 Lakes, NV 889	01-6006		
20	241100,111			
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1 2 3 4 5 6	Patrick E. Catalano, SB Mark Adams Poppett, S CATALANO & CATA 655 W. Broadway, Suit San Diego, CA 92101 Tel: (619) 233-3565 Fax: (619) 233-4891 Email: mark.poppett@ Attorneys for Petitioner JOHN MONTGOMER	SBN 64939 LLANO se 880 slegalcat.com	US BAÑ SO DIST	14 PM 3: KRUPTCY ( OF CALIF		
8						
9		UNITED STAT	ES BANKRUPTCY	COURT		
10		SOUTHERN D	ISTRICT OF CALI	FORNIA		
11	L TEGLA CRAV		\ C N 00	10752 1 4	1 1	
12	In re TESLA GRAY,  Debtor.		) Case No: 08 ) ) Petition for l			
13	Deotor.		) PROOF OI	·	-	
14				DEICHICA	J	
15	I, Janet Kohnen	berger, declare:				
16	I am employed	in the County of S	an Diego, California.	. My busin	ess address	is 655 West
17	Broadway, Suite 880, San Diego, California 92101. I am over the age of eighteen years and am					
18	not a party to this action	n.				
19	On July 14, 2	009, caused to be	e served Petitioners	John and	Nancy M	ontgomery's
20	(PROPOSED) ORDE	R ON THE JOIN	T MOTION FO RV	VITHDRA	WAL OF	DEBTOR'S
21	OBJECTIONS TO I	NVOLUNTARY	PETITION AND	FOR ENT	RY OF A	N ORDER
22	FOR RELIEF UNDE	CR CHAPTER 11	[11 U.S.C. §303]	in said cau	se by placi	ing true and
23	correct copies thereof e	nclosed in a sealed	l envelope with posta	ge thereon	fully prepai	id in the
24	///					
25	///					
26	///					
27	///					
28						
ļ		P.D.	1			
		PK	OOF OF SERVICE			

	Case 08-10753-CL7 Filed 07/14/09 Entered 07/15/09 13:37:14 Doc 45 Pg. 8 of 9
1	United States Mail at San Diego, California, addressed as follows: SEE ATTACHED
2	SERVICE LIST
3	I declare under penalty of perjury under the laws of these United States that the foregoing
4	is true and correct and that this declaration was executed on July 14, 2009, at San Diego,
5	California.
6	By: Jaset M. Kohnenberg
7	Janet Kohnenberger
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PROOF OF SERVICE

	Case 08-10753-CL7 Filed 07/14/09 Er	ntered 07/15/09 13:37:14 Doc 45 Pg. 9 of 9
l.		_
1	SERV	ICE LIST
2	CASE NAME: In re Tesla Gray	
3	COURT: United States Bankrupto Southern District of Cali	
4	CASE NO: 08-10753-LA11	
5	Thomas C. Nelson	Attorney for Debtor Tesla Gray
6 7	550 West C Street, Suite 1850	Attorney for Debtor Tesia Gray
8	San Diego, CA 92101 Tel: (619) 236-1245	
9	Fax: (619) 236-0230 Tom@tcnlaw.com	
10	Christopher M. McDermott Pite Duncan, LLP	Edward T. Weber Kathy Shakibi
11	4375 Jutland Drive, Suite 200 P.O. Box 17933	Routh Crabtree Olsen, P.S. 505 N. Tustin Avenue, Suite 243
12	San Diego, Ca 92177-0933 Tel: (858) 705-7600	Santa Ana, CA 92705
13	Fax: (619) 590-1385	Tel: (714) 277-4803 Fax: (714) 277-4916
14	ecfcasb@piteduncan.com	bknotice@rcolegal.com
15	John M. Sorich Alvarado & Associates, LLP	Wayne R. Terry Hemar, Rousso & Heald, LLP
16	1 MacArthur Place, Suite 210 Santa Ana, CA 92707	15910 Ventura Boulevard, 12th Floor Encino, CA 91436
17	Tel: (714) 327-4400 Fax: (714) 327-4499	Tel: (818) 501-2985 wterry@hemar-rousso.com
18	CitiMortgage, Inc.	werrytwnemar-rousso.com
19	P.O. Box 6941 The Lakes, NV 88901-6006	
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	SERV	ICE LIST